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FILED
DISTRICT COURT OF GUAM

JUN 19 2006 *nba*

MARY L.M. MORAN
CLERK OF COURT

8 **IN THE UNITED STATES DISTRICT COURT**

9 **FOR THE TERRITORY OF GUAM**

10
11 UNITED STATES OF AMERICA,) CRIMINAL CASE NO. 05-00076
12 Plaintiff,)
13 vs.) GOVERNMENT'S CORRECTION
14 JAMES ROBERT LUJAN,) TO POSITION CONCERNING
15 Defendant.) PRESENTENCE REPORT

16 The government initially filed a response to the presentence report, moving that defendant
17 receive the additional one-level downward departure, as provided by USSG § 3D1.1(b). The
18 government then mistakenly stated that defendant's total offense level would be 33. In fact,
19 defendant's total offense level should be 35, with a range of incarceration of 235-293 months.
20 Defendant has not provided substantial assistance to the government. Accordingly, there will be
21 no motion pursuant to 18 U.S.C. § 3553(e) or USSG 5K1.1.

22 Respectfully submitted this 16th day of June, 2006.

23 LEONARDO M. RAPADAS
United States Attorney
24 Districts of Guam and NMI

25 By:

Karon V. Johnson
26 KARON V. JOHNSON
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